

FOR PCT-1390 (REV. 1-2003) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER <b>10901/95</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/528890</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP03/10447</b>	INTERNATIONAL FILING DATE <b>(19.09.03) 19 September 2003</b>	PRIORITY DATE CLAIMED: <b>(25.09.02) 25 September 2002</b>
TITLE OF INVENTION <b>METHOD FOR OPERATING A POSITION-MEASURING DEVICE AND POSITION-MEASURING DEVICE SUITABLE TO THAT END</b>		
APPLICANT(S) FOR DO/EO/US <b>HOFBAUER, Hermann and STRASSER, Erich</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input checked="" type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
<b>Items 11 to 20 below concern document(s) or information included:</b>		
<ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input checked="" type="checkbox"/> A substitute specification and marked-up version of the substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: International Search Report (translated), Preliminary Examination Report (translated) and Form PCT/RO/101.</li> </ol>		

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/528890</b>		INTERNATIONAL APPLICATION NO. PCT/EP03/10447		ATTORNEY'S DOCKET NUMBER 10901/95	
The following fees are submitted:					
21 <input checked="" type="checkbox"/> Basic National Fee .....		\$ 300.00	\$		
22. <input type="checkbox"/> Examination Fee – If International preliminary exam report prepared by USPTO and all claims satisfy provisions of PCT Article 33/(1)-(4).....		\$ 100.00	\$		
<input checked="" type="checkbox"/> Examination Fee - All other situations .....		\$ 200.00	\$		
23. <input type="checkbox"/> Search Fee – Search fee (37 CFR 1.445(a)(2) has been paid on the international application to the USPTO as ISA .....		\$ 100.00	\$		
<input checked="" type="checkbox"/> International Search Report prepared and provided to the Office.....		\$ 400.00	\$		
<input type="checkbox"/> Search Fee – All other situations .....		\$ 500.00	\$		
<b>TOTAL OF ABOVE CALCULATIONS</b>			\$ 900.00		
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing on computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
-100	/50=		x \$250	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).			\$		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	18 - 20 =	0	x \$50.00	\$	
Independent Claims	3 - 3 =	0	x \$200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>			\$900.00		
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					
<b>SUBTOTAL =</b>			\$900.00		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			\$		
<b>TOTAL NATIONAL FEE =</b>			\$900.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property			\$		
<b>TOTAL FEES ENCLOSED =</b>			\$900.00		
			Amount to be refunded:	\$	
			Amount to be charged	\$900.00	
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>11-0600</u> in the amount of \$900.00 to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>11-0600</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.437(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:          KENYON &amp; KENYON          One Broadway          New York, New York 10004  <b>CUSTOMER NO. 26646</b></p> <p style="text-align: right;"> <b>SIGNATURE</b>  <i>Richard L. Mayer</i>  <b>NAME</b>  <u>March 23, 2005</u>  <b>DATE</b> </p>					